



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,295	07/18/2001	Leon De Beer	210375US2PCT	3984

22850 7590 02/12/2004

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
----------	--------------

2686

8

DATE MAILED: 02/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

09/869,295

Applicant(s)

DE BEER, LEON

Examiner

Khawar Iqbal

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-89 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-89 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6.7</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1—26,30-31,36-39,44-45,48-67,70-71,74-88 are rejected under 35 U.S.C. 102(b) as being unpatentable by Lorimer (EP 0724371 A1).

3. Regarding claim 1 Lorimer teaches a method of operating a mobile telephone (1) in a cellular telephone communications system in which a plurality of service providers provide respective alternative communications channels; comprising the steps of (figs. 1,2);

storing routing information in a look-up table (outgoing call mode) of the mobile telephone (1) such that the table is populated with data in the form of preferred route codes (user preferences, tariff information), each preferred route code being representative of a preferred route for connection to a respective call destination (page 2, lines 6-9,page 3, lines 52-58);

originating an Outgoing telephone call by the input of user generated call destination information (page 3, lines 52-58);

accessing the look-up table using an address determined at least in part by the call destination information to obtain a selected preferred route code (page 3, lines 52-58,page 4, lines 1-10);

Art Unit: 2686

selecting one of the communication channels in accordance with the preferred route code (page 3, lines 10-15) page 4, lines 24-30); and

establishing communication for the outgoing telephone call for a call destination corresponding to the call destination information via the selected communication channel of a corresponding selected service provider (page 4, lines 36-38).

Regarding claim 48 Lorimer teaches a mobile telephone (1) for use in a cellular telephone communications system in which a plurality of service providers provide respective alternative communications channels (80,81,82,83); the mobile telephone comprising (figs. 1,2);

a look-up table storing routing information (user preferences, tariff information) such that the table is populated with data in the form of preferred route codes, each preferred route code being representative of a preferred route for connection to a respective call destination (page 2, lines 6-9,page 3, lines 52-58);

input means for originating an outgoing telephone call by the input of user generated call destination information (page 3, lines 52-58);

accessing means for accessing the look-up table using an address determined at least in part by the call destination information to obtain a selected preferred route code (page 3, lines 52-58,page 4, lines 1-10);

channel selecting means for selecting one of the communication channels in accordance with the preferred route code (page 3, lines 10-15) page 4, lines 24-30); and

communication means for establishing communication for the outgoing telephone call for a call destination corresponding to the call destination information via the selected communication channel of a corresponding selected service provider (page 4, lines 36-38).

Regarding claim 78 Lorimer teaches a docking station for use with a mobile telephone having a look-up table for routing information (page 3, lines 52-58, page 4, lines 20-22), the docking station comprising connecting means for detachably connecting the mobile telephone to the docking station and an interface for transmitting updating information in use to the mobile telephone for updating the look-up table (page 2, lines 22-24, page 4, lines 10-35).

Regarding claim 83 Lorimer teaches a portable storage medium for use in a mobile telephone, the storage medium storing a look-up table populated with data in the form of preferred route codes, each preferred route code being representative of a preferred route for connection to a respective call destination (page 3, lines 52-58, page 4, lines 20-22).

Regarding claim 2 Lorimer teaches wherein the preferred route codes comprise the results of a route selection decision by a control center remote from the mobile telephone (page 3, lines 52-58, page 4, lines 20-22).

Regarding claims 3,50 Lorimer teaches wherein the decision is based at least in part on least-cost (page 2, lines 22-24, page 4, lines 20-35).

Regarding claim 4 Lorimer teaches wherein the decision is based at least in part on performance of at least one network selected in accordance with the preferred route (page 4, lines 27-35).

Regarding claim 5 Lorimer teaches wherein the preferred route codes further determine a choice of a further network for forward connection between a network of the service provider of the selected communication channel and the call destination via the further network (page 4, lines 10-35).

Regarding claims 6,49 Lorimer teaches wherein the control center collates billing information in respect of services provided by the service provider and one or more further service providers of the further networks in facilitating the making of the call to the call destination (page 4, lines 15-35).

Regarding claim 7 Lorimer teaches wherein the mobile telephone adds a prefix code to the user generated call destination information (page 4, lines 5-14).

Regarding claim 8 Lorimer teaches wherein the prefix code includes a customer identification field containing user specific identification data (page 3, lines 20-24, page 4, lines 5-19).

Regarding claims 9,51 Lorimer teaches wherein the prefix code includes a charging information field for identifying a control entity to be billed by one or more service providers corresponding to the selected network connection route (page 3, lines 20-24, page 4, lines 5-35).

Regarding claims 10,52 Lorimer teaches the mobile telephone periodically scanning received transmissions to identify available communications channels and

Art Unit: 2686

completing a registration procedure for all available channels in order to facilitate subsequent communication by selection therefrom (page 3, lines 10-24, page 4, lines 5-19).

Regarding claims 11,53 Lorimer teaches electing (64) from the available channels a home channel for receipt of incoming calls (page 4, lines 43-44).

Regarding claims 12,54 Lorimer teaches electing from the available channels an update receiving channel for receipt of updating information broadcasts (page 4, lines 5-19).

Regarding claims 13-16,55-47 Lorimer teaches wherein the look-up table is stored in a portable storage medium removable installed in the mobile telephone (page 4, lines 7-9).

Regarding claims 17,58 Lorimer teaches periodically updating the data stored in the look-up table by receiving data blocks each containing a respective portion of updated data and, for each received data block, overwriting a corresponding portion of the existing data with updated data from the received block (page 4, lines 5-35).

Regarding claims 18,59 Lorimer teaches a routing table containing the preferred route codes (page 4, lines 5-35); a carrier selection table containing, for each preferred route code, a list in order of priority of carrier selections to be used, subject to availability (page 4, lines 5-35); and a carrier access table containing, for each carrier selection, a channel selection identifying a communications channel provided by a service provider of the mobile telephone system and a prefix code to be added to the dialed number identifying a further network for routing the call (page 4, lines 5-35).

Regarding claims 19,60 Lorimer teaches wherein the look-up table further comprises a carrier availability table containing information indicating which of the channels are currently available (page 4, lines 5-35).

Regarding claims 20-22,61-63 Lorimer teaches addressing the routing table to obtain a preferred route code (page 4, lines 5-35); using the preferred route code to address the carrier selection table to obtain a list of carrier selections (page 4, lines 5-35); addressing the carrier access table using the first carrier selection on the list to obtain the prefix code and channel selection data for the first channel selection (page 4, lines 5-35); and addressing the carrier availability table using the channel selection data to determine if the first carrier selection is one of the available channels and, if so, initiating the call to the call destination using the prefix code via the channel selection data for the first carrier selection (page 4, lines 5-35).

Regarding claims 23,24,64-65 Lorimer teaches default route data and wherein if accessing the look-up table with the call destination information fails to locate corresponding data defining a preferred route code, the preferred route code is derived from the default route data (page 4, lines 5-35).

Regarding claim 26,66 Lorimer teaches wherein the updating information is transmitted as a multipoint broadcast to a plurality of mobile telephones (page 4, lines 5-35).

Regarding claims 30,31,70,71,79,80 Lorimer teaches wherein the updating information is communicated to the mobile telephone by detachably connecting the

mobile telephone to a docking station and transmitting the updating information to the mobile telephone via the docking station (page 4, lines 5-35).

Regarding claims 36,37,38,81-82 Lorimer teaches wherein the docking station is connected to a telephone line and updating information is received from the control center in response to making a telephone call request to the control center via the telephone line (page 4, lines 5-35).

Regarding claims 44,45,75,77 Lorimer teaches wherein the telephone call is originated to communicate data comprising a type of data selected from a set of alternative types of data (page 4, lines 5-35).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 27-29,68-69 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lorimer (EP 0724371 A1) and further in view of Skog (6427076).

6. Regarding claims 27-29,39,68-69 and 76 Lorimer teaches a wireless communication terminal (1) identifying a preferable one of at least two wireless networks (6,7,8) for establishing an outgoing call on the basis of an algorithm involving at least one parameter related to the networks. The terminal may be a mobile telephone handset, or a PC with radio communication capabilities for transmitting data. The algorithm typically identifies the cheapest available network for the outgoing call on

the basis of current network tariff information (figs. 1,2). Lorimer does not specifically teach information is transmitted to the mobile telephone as a web page.

In an analogous art, Skog teaches information is transmitted to the mobile telephone as a web page (col. 6, lines 35-60). Provides subscriber data records (SDR) that are bifurcated into related primarily to the wireless network and. The mobile station can receive, analyze, update and to possibly respond to information in the SDR, such as internet subscription parameters. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Lorimer by specifically adding feature information is transmitted to the mobile telephone as a web page in order to enhance system performance of web page to increasing the efficiency of the system as taught by Skog.

7. Claims 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lorimer (EP 0724371 A1) and further in view of Georges (6014546).

8. Regarding claims 32-35 Lorimer teaches a wireless communication terminal (1) identifying a preferable one of at least two wireless networks (6,7,8) for establishing an outgoing call on the basis of an algorithm involving at least one parameter related to the networks. The terminal may be a mobile telephone handset, or a PC with radio communication capabilities for transmitting data. The algorithm typically identifies the cheapest available network for the outgoing call on the basis of current network tariff information (figs. 1,2). Lorimer does not specifically teach signals multiplexed in a television transmission signal, an optical cable network and satellite television network.

In an analogous art, Georges teaches signals multiplexed in a television transmission signal (col. 3, lines 17-31), an optical cable network (col. 3, line 20) and satellite television network (col. 4, lines 45-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Lorimer by specifically adding feature signals multiplexed in a television transmission signal, an optical cable network and satellite television network in order to enhance system performance of docking station to increasing the efficiency of the system as taught by Georges.

9. Claims 40-43, 46-47, 72-73 and 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lorimer (EP 0724371 A1) and further in view of Dahlin et al (6122263).

10. Regarding claims 40-43, 46-47, 72-73 and 89 Lorimer teaches a method of routing a telephone call comprising adding a prefix code to a user generated call information such that the prefix code defines a preferred route via a switching network, wherein the prefix code comprises a string of network node addresses (page 3, lines 6-15, 52-58, page 4, lines 5-35). Lorimer teaches a wireless communication terminal (1) identifying a preferable one of at least two wireless networks (6, 7, 8) for establishing an outgoing call on the basis of an algorithm involving at least one parameter related to the networks. The terminal may be a mobile telephone handset, or a PC with radio communication capabilities for transmitting data. The algorithm typically identifies the cheapest available network for the outgoing call on the basis of current network tariff information (figs. 1, 2). Lorimer does not specifically teach route via a packet switching network.

In an analogous art, Dahlin et al teaches route via a packet switching network (col. 5, lines 15-30). Method for optimizing transmission of information from packet switched fixed network to radio terminal determines whether first or second code is preferred for transmission of packet over radio link to radio terminal, coded information in third code is transcoded to either 1st or 2nd code and conveyed over radio link as determined. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Lorimer by specifically adding feature route via a packet switching network in order to enhance system performance of wireless system to increasing the efficiency as taught by Dahlin et al.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BANKS-HAROLD, MARSHA**, can be reached at 703-305-4379.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2684 only)

Application/Control Number: 09/869,295
Art Unit: 2686

Page 12

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Khawar Iqbal



Marsha D Banks-Harold
MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600